

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**JAMES McDONALD,  
Plaintiff,**

**Vs.**

**Case #2:06-cv-284-MHT**

**RICHARD ALLEN, et al.,  
Defendants**

**DEFENDANT'S ANSWER TO AMENDED COMPLAINT**

Comes now Sidney Williams, and shows unto the Court as follows:

- 1) Williams is absolutely immune from liability predicated on his adjudicative acts, as a member of the Board of Pardons & Paroles, in determining which prisoners are suitable candidates for early release.
- 2) Williams is entitled to qualified immunity. He has taken no action that a reasonable parole board member would believe violated clearly established law or deprived the Plaintiff of clearly established rights.
- 3) The amended complaint fails to state a claim upon which relief may be granted.
- 4) Williams has insufficient information on which to admit or deny the averments regarding prison conditions. He demands strict proof of all averments.
- 5) Williams denies any averment that he caused any harm to Plaintiff, and demands strict proof thereof.
- 6) Williams expressly denies depriving Plaintiff of any right, privilege or immunity protected under the Constitution or laws of the United States.

- 7) The amended complaint fails to present a justiciable controversy between Plaintiff and Williams, in that Williams has no authority or power to govern, regulate or change the conditions in any prison.
- 8) Williams denies acting under color of State law to cause prison overcrowding.

WHEREFORE, premises considered, Sidney Williams moves the Court to dismiss him from this action.

Respectfully submitted,

TROY KING.  
ATTORNEY GENERAL  
KIN047

GREGORY O. GRIFFIN, SR.  
CHIEF COUNSEL  
GRI026

s/STEVEN M. SIRMON  
ASSISTANT ATTORNEY GENERAL  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 7-21-06, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: (None), and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants, individually:

**JAMES MCDONALD, #236354  
200 WALLACE DRIVE  
CLIO, AL 36017-2165**

Done this 21<sup>st</sup> day of July, 2006.

Respectfully submitted,

s/STEVEN M. SIRMON  
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